

Notice of Allowability

Application No.

10/618,918

Applicant(s)

HUNGERFORD, PAUL A.

Examiner

Walter F. Briney III

Art Unit

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 30 March 2007.
2. ☒ The allowed claim(s) is/are 1-32.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with David H. Badger—Reg. No. 22,597—on 29 May 2007.

Amendment

The application has been amended as follows:

Claim 30 (Currently Amended) A speaker assembly comprising:

a speaker housing including a main housing wall, a mounting lip, a support member, a motor assembly housing and a dual sided connector;

a loudspeaker including a frame having a lip, motor assembly and a pair of flexible conductive leads;

where the lip of the frame of the loudspeaker is positioned in the motor assembly housing of the speaker housing; and

where the dual sided connector has a first side input and a second side input, said first side input and second side input facing in opposite directions outside of the speaker housing, where the dual sided connector includes a pair of conductive leads that are connected to the pair of flexible conductive leads of the loudspeaker, where the

pair of conductive leads extend to the first side input and the second side input of the dual sided connector.

Claim 32 (Currently Amended) A speaker housing comprising:

a housing wall;

a dual sided connector ~~on the outside of the speaker housing~~ having a first input connector and a second input connector at opposite sides of the dual sided connector outside of the speaker housing; and

where either of the first and second connectors is configured to receive an amplifier output clip.

Allowable Subject Matter

The following is an examiner's statement of reasons for allowance:

1. Claims 1-32 are allowed.

Claims 1-12 and 24 are allowable over the cited prior art for the reasons set forth in the Non-Final Office Action filed 24 January 2007.

Claims 13 and 30-32 have each been amended to recite the allowable limitations of claim 1; in particular, that the dual-sided connector is mounted with two oppositely facing inputs that are outside of the speaker housing. This is in contrast with the disclosure of Novitschitsch as set forth on page 5 of the Non-Final Office Action filed 24 January 2007. Thus, claims 13 and 30-32 are allowable over the cited prior art.

Claims 14-23 depend on claim 13, and are allowable over the cited prior art for at least the same reasons.

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Claim 25 is limited to "a speaker housing." This claim has been amended by applicant to include "means, attached to an outside surface of the housing means for inputting speaker signals from opposite directions." This properly invokes 35 USC 112, sixth paragraph, allowing the applicant to define the invention in terms of the definition of these means set forth in the specification. Paragraph [038] requires that the dual-sided connector includes a T-shaped cavity, which differs from the straight-through connector disclosed by Novitschitsch. The T-shaped cavity underscores the fact that signals are presented to the loudspeaker from two opposite directions outside of the loudspeaker housing, which is the salient limitation concerning allowability discussed apropos claim 13. Thus, claim 25 is allowable over the cited prior art.

Claims 26-29 depend on claim 25, and are allowable over the cited prior art for at least the same reasons.

In addition to the reasons presented above, consider the following further reasons for allowability. Novitschitsch discloses a plug connector 8 that corresponds, generally speaking, to the "dual sided connector/means for inputting speaker signals from opposite directions." The difference between the prior art connector and the claimed connector lies in the placement of the connector, which necessitates that the input signals are received in opposite directions from outside of the speaker housing. This implies the existence of a channel for routing said input signals to the inside of the speaker housing.

It is noted that the prior art teaches providing modules for expanding a single outlet into a multiple outlet. For example, US Patent 1,568,156 (herein Herskovitz) and

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US Patent 1,760,921 (herein Strongson) disclose a plug receptacle and a plug connector, respectively. Each has oppositely facing connectors on the outside of an existing connector (i.e. housing); however, none of these disclosures recognizes any advantage outside of increasing the number of connectors available. See Herskovitz, column 1, lines 10-25; Strongson, column 1, lines 18-27. Nevertheless, this is considered to fall short of motivating one of ordinary skill in the speaker art to include such an expanded connector with the speaker of Novitschitsch. To wit, making the jump from AC power outlet art to speaker art requires some common ground. In this case, the motivation to include plural outlets to the speaker would have to exist in the field of speakers. In the AC power outlet art, there exists a desire to power several devices from a single outlet. Projected onto the speaker art, there should then exist a desire to power a loudspeaker from several sources. However, the examiner has uncovered no evidence of this; rather it appears that providing multiple outlets is wasteful since speakers are normally provided only a single driving source as reflected by the preponderance of the prior art discovered upon searching. The applicant's motivation to provide an ambidextrous loudspeaker would be a sufficient reason, but this knowledge appears to exist solely in the applicant's disclosure and not in the prior art of record. Thus, the claims are allowable over the cited prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Walter F. Briney III whose telephone number is 571-272-7513. The examiner can normally be reached on M-F 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh Tran can be reached on 571-272-7564. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



SINH TRAN
SUPERVISORY PATENT EXAMINER

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5/29/07